

CHARLOTTE HOLLANER, ESQ.

LAW PROJECT OF SNJ

709 Haddonfield-Berlin road

Voorhees, NJ 08043

856 784-8532

Attorney for Debtor

UNITED STATES BANKRUPTCY COURT

District of New Jersey

In re BERNARD BURKHARDT

Debtor

Case No.

17-34315-ABA

Chapter 7

Motion for Court approval of insurance settlement

On November 20, 2018, The Debtor, by and through his attorney, Charlotte Hollander, shall bring a motion to secure Court approval of a proposed insurance settlement to pay Toyota for losses incurred in Debtor's automobile accident. The Motion will be heard at the Mitchel H. Cohen US Court House 400 Cooper street 4th floor Camden, NJ 08101 at 10:0 AM before the Honorable Andrew B. Altenburg, JR.

Debtor will rely on Certification of Debtor.

/s/ Charlotte Hollander

10/26/2018

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CERTIFICATION OF DEBTOR IN SUPPORT OF MOTION FOR COURT APPROVAL OF INSURANCE SETTLEMENT FOR PROPERTY DAMAGE TO 2015 TOYOTA

In support of this motion, Debtor certifies as follows:

1. I filed the instant petition under chapter 13 on 12/11/2017. The case was converted to Chapter 7 on September 27, 2018.
2. On June 1, 2018 I was driving my 2015 Toyota when an accident occurred. I was driving for LYFT at the time.
3. There was only property damage. The vehicle was totaled. LYFT was insured and has made an offer to pay Toyota for the value of the vehicle. The offer of settlement is attached hereto. They have offered \$14,885.92 with a \$2500.00 deductible.
4. My attorney contacted Toyota's attorneys about the settlement but have not heard back. I myself contacted Toyota who stated that they had accepted the settlement but was awaiting payment.

5. The Chapter 13 Trustee's office told my attorney this settlement had to be approved by the Court. Thus this motion. However, my insurance is NOT covering this as I was driving for LYFT at the time so their insurance covers the accident. I had GAP insurance for the deductible but it will not cover accidents where I was driving for customers. Thus I have filed Chapter 7. There was no personal injury at the accident.
6. I now have no car. I would like to have this settlement approved by the Court.

I certify that the foregoing statement is true. If any statement is willfully false, I am aware that I am subject to punishment.

October 29, 2018

/s/Bernard Burkhardt



York Risk Services Group, Inc.
PO Box 619079
Roseville, Ca. 95661

07/23/2018

BERNARD BURKHARDT
401 East Gibbsboro Rd. Apt#N17
Lindenwold , NJ 08021

RE: Insured: Lyft, Inc.
Date of Loss: 06/10/2018
Claim Number: LYFT97884A9
Vehicle: 2015 TOYOTA CAMRY
VIN: 4T4BF1FK7FR481874

Dear Registered Owner(s)

York Risk Services Group is a Third Party Administrator (TPA) for Steadfast Insurance Company ("Steadfast"), which insures Lyft, Inc. in connection with the above referenced claim

Below is the settlement breakdown for your vehicle.

*****TOTAL LOSS SETTLEMENT SUMMARY*****

2015 TOYOTA CAMRY

Actual Cash Value = \$13961.00

TAX Due = \$924.92 (6.625%)

SUB TOTAL=\$14885.92

DEDUCTIBLE=-\$2500

NET TOTAL = \$12385.92 (YORK OBTAINS SALVAGE)

(SALVAGE VALUE DEDUCTION=-\$5893.00 TO BE APPLIED IF OWNER RETAINS SALVAGE)

OWNER RETAINS SALVAGE=\$6492.92

Should you have any questions, please contact your total loss adjuster